

(1) conduct such studies, research, and investigations, as they deem desirable to determine the causes of the population increase of the “Crown of Thorns”, their effects on corals and coral reefs, and the stability and regeneration of reefs following predation;

(2) to monitor areas where the “Crown of Thorns” may be increasing in numbers and to determine future needs for control;

(3) to develop improved methods of control and to carry out programs of control in areas where these are deemed necessary; and

(4) to take such other actions as deemed desirable to gain an understanding of the ecology and control of the seastar “Crown of Thorns”.

(Pub. L. 91-427, §2, Sept. 26, 1970, 84 Stat. 884; 1970 Reorg. Plan No. 4, eff. Oct. 3, 1970, 35 F.R. 15627, 84 Stat. 2090.)

TRANSFER OF FUNCTIONS

Transfer of functions to Secretary of Commerce from Secretary of the Interior by Reorg. Plan No. 4 of 1970, see note set out under section 1211 of this title.

§ 1213. Authorization of appropriations

For the purpose of carrying out the provisions of this chapter, there is authorized to be appropriated for the period commencing on September 26, 1970, and ending June 30, 1975, not to exceed \$4,500,000.

(Pub. L. 91-427, §3, Sept. 26, 1970, 84 Stat. 884.)

CHAPTER 25B—REEFS FOR MARINE LIFE CONSERVATION

Sec.	
1220.	State applications for obsolete ships for use as offshore reefs.
	(a) Conservation of marine life.
	(b) Manner and form of applications; minimum requirements.
	(c) Copies to Federal officers for official comments and views.
1220a.	Transfer of title; terms and conditions.
1220b.	Obsolete ships available; number; equitable administration.
1220c.	Denial of applications; finality of decision.
1220d.	“Obsolete ship” defined.

§ 1220. State applications for obsolete ships for use as offshore reefs

(a) Conservation of marine life

Any State may apply to the Secretary of Transportation (hereafter referred to in this chapter as the “Secretary”) for obsolete ships which, but for the operation of this chapter, would be designated by the Secretary for scrapping if the State intends to sink such ships for use as an offshore artificial reef for the conservation of marine life.

(b) Manner and form of applications; minimum requirements

A State shall apply for obsolete ships under this chapter in such manner and form as the Secretary shall prescribe, but such application shall include at least (1) the location at which the State proposes to sink the ships, (2) a certificate from the Administrator, Environmental Protection Agency, that the proposed use of the particular vessel or vessels requested by the

State will be compatible with water quality standards and other appropriate environmental protection requirements, and (3) statements and estimates with respect to the conservation goals which are sought to be achieved by use of the ships.

(c) Copies to Federal officers for official comments and views

Before taking any action with respect to an application submitted under this chapter, the Secretary shall provide copies of the application to the Secretary of the Interior, the Secretary of Defense, and any other appropriate Federal officer, and shall consider comments and views of such officers with respect to the application.

(Pub. L. 92-402, §3, Aug. 22, 1972, 86 Stat. 618; Pub. L. 98-623, title II, §207(1), (2), Nov. 8, 1984, 98 Stat. 3397.)

AMENDMENTS

1984—Subsecs. (a), (b). Pub. L. 98-623, §207, substituted “Secretary of Transportation” for “Secretary of Commerce” and “obsolete ships” for “Liberty ships”, wherever appearing.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 1220a, 1220d of this title.

§ 1220a. Transfer of title; terms and conditions

If, after consideration of such comments and views as are received pursuant to section 1220(c) of this title, the Secretary finds that the use of obsolete ships proposed by a State will not violate any Federal law, contribute to degradation of the marine environment, create undue interference with commercial fishing or navigation, and is not frivolous, he may transfer without consideration to the State all right, title, and interest of the United States in and to any obsolete ships which are available for transfer under this chapter if—

(1) the State gives to the Secretary such assurances as he deems necessary that such ships will be utilized and maintained only for the purposes stated in the application and, when sunk, will be charted and marked as a hazard to navigation;

(2) the State agrees to secure any licenses or permits which may be required under the provisions of any other applicable Federal law;

(3) the State agrees to such other terms and conditions as the Secretary shall require in order to protect the marine environment and other interests of the United States; and

(4) the transfer would be at no cost to the Government with the State taking delivery of such obsolete ships at fleetside of the National Defense Reserve Fleet in an “as is—where is” condition.

(Pub. L. 92-402, §4, Aug. 22, 1972, 86 Stat. 618; Pub. L. 98-623, title II, §207(1), (3), Nov. 8, 1984, 98 Stat. 3397.)

AMENDMENTS

1984—Pub. L. 98-623 substituted “obsolete ships” for “Liberty ships” wherever appearing in provisions preceding par. (1) and in par. (4), and substituted “may transfer” for “shall transfer” in provisions preceding par. (1).

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1220d of this title.

§ 1220b. Obsolete ships available; number; equitable administration

A State may apply for more than one obsolete ship under this chapter. The Secretary shall, however, taking into account the number of obsolete ships which may be or become available for transfer under this chapter, administer this chapter in an equitable manner with respect to the various States.

(Pub. L. 92-402, §5, Aug. 22, 1972, 86 Stat. 618; Pub. L. 98-623, title II, §207(1), Nov. 8, 1984, 98 Stat. 3397.)

AMENDMENTS

1984—Pub. L. 98-623 substituted “obsolete ships” for “Liberty ships” wherever appearing.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1220d of this title.

§ 1220c. Denial of applications; finality of decision

A decision by the Secretary denying any application for a¹ obsolete ship under this chapter is final.

(Pub. L. 92-402, §6, Aug. 22, 1972, 86 Stat. 618; Pub. L. 98-623, title II, §207(1), Nov. 8, 1984, 98 Stat. 3397.)

AMENDMENTS

1984—Pub. L. 98-623 substituted “obsolete ship” for “Liberty ship”.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 1220d of this title.

§ 1220d. “Obsolete ship” defined

For purposes of sections 1220, 1220a, 1220b, and 1220c of this title, the term “obsolete ship” means any vessel owned by the Department of Transportation that has been determined to be of insufficient value for commercial or national defense purposes to warrant its maintenance and preservation in the national defense reserve fleet and has been designated as an artificial reef candidate.

(Pub. L. 92-402, §7, as added Pub. L. 98-623, title II, §207(4), Nov. 8, 1984, 98 Stat. 3397.)

CHAPTER 26—ESTUARINE AREAS

Sec.

- 1221. Congressional declaration of policy.
- 1222. General study and inventory of estuaries and their natural resources.
 - (a) Estuaries included; considerations; other applicable studies.
 - (b) Federal or State land acquisition or administration; other protective methods.
 - (c) Report to Congress; recommendations; authorization for acquisition of lands; consultation with States and Federal agencies; accompanying statement of views, probable effects, and major trends.

Sec.

- (d) Authorization of appropriations.
- 1223. Agreements with States and subdivisions; equitable sharing of costs; development improvements; availability of appropriations; State hunting and fishing laws applicable.
- 1224. Commercial and industrial development considerations; reports to Congress; recommendations.
- 1225. State consideration of protection and restoration of estuaries in State comprehensive planning and proposals for financial assistance under certain Federal laws; grants: terms and conditions, prohibition against disposition of lands without approval of the Secretary.
- 1226. Federal agency authority to carry out Federal project within an estuary unaffected.

§ 1221. Congressional declaration of policy

Congress finds and declares that many estuaries in the United States are rich in a variety of natural, commercial, and other resources, including environmental natural beauty, and are of immediate and potential value to the present and future generations of Americans. It is therefore the purpose of this chapter to provide a means for considering the need to protect, conserve, and restore these estuaries in a manner that adequately and reasonably maintains a balance between the national need for such protection in the interest of conserving the natural resources and natural beauty of the Nation and the need to develop these estuaries to further the growth and development of the Nation. In connection with the exercise of jurisdiction over the estuaries of the Nation and in consequence of the benefits resulting to the public, it is declared to be the policy of Congress to recognize, preserve, and protect the responsibilities of the States in protecting, conserving, and restoring the estuaries in the United States.

(Pub. L. 90-454, §1, Aug. 3, 1968, 82 Stat. 625.)

§ 1222. General study and inventory of estuaries and their natural resources

(a) Estuaries included; considerations; other applicable studies

The Secretary of the Interior, in consultation and in cooperation with the States, the Secretary of the Army, and other Federal agencies, shall conduct directly or by contract a study and inventory of the Nation's estuaries, including without limitation coastal marshlands, bays, sounds, seaward areas, lagoons, and land and waters of the Great Lakes. For the purpose of this study, the Secretary shall consider, among other matters, (1) their wildlife and recreational potential, their ecology, their value to the marine, anadromous, and shell fisheries and their esthetic value, (2) their importance to navigation, their value for flood, hurricane, and erosion control, their mineral value, and the value of submerged lands underlying the waters of the estuaries, and (3) the value of such areas for more intensive development for economic use as part of urban developments and for commercial and industrial developments. This study and inventory shall be carried out in conjunction with the comprehensive estuarine pollution study authorized by section 5(g) of the Federal Water Pollution Control Act, as amended [33 U.S.C. 1254(n)], and other applicable studies.

¹ So in original. Probably should be “an”.